

## Docket No. 07977-188002/US3427/3434D

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of		)	
	Shunpei YAMAZAKI et al.	)	
Serial No. 10/024,850		)	Art Unit: 2823
Filed:	December 18, 2001	)	
For:	SEMICONDUCTOR DEVICE AND	)	Examiner: W. David
	METHOD OF MANUFACTURING THE SAME	)	COLEMAN

## TERMINAL DISCLAIMER

Commissioner for Patents P.O.Box 1450 Alexandria, VA 22313-1450

Sir:

I, Dr. Shunpei Yamazaki, having a place of business at Semiconductor Energy Laboratory Co., Ltd., 398, Hase, Atsugi-shi, Kanagawa-ken 243-0036 Japan, state that I am authorized to sign on behalf of the assignee of this invention and that the Assignment referred to below has been reviewed and certify that, to the best of my knowledge and belief, the entire right, title and interest in the above-identified application is in the name of Semiconductor Energy Laboratory Co., Ltd. by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 09100, Frame 0627-0629.

Semiconductor Energy Laboratory Co., Ltd. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,365,933 B1.

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FROM SEMICONDUCTOR ENERGY LABORATORY CO., LTD. 2004年10月 5日(水):26/零稿1:23/文金書寺605573321 P 10

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Semiconductor Energy Laboratory Co., Ltd. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior Patent No. 6,365,933 B1 is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Semiconductor Energy Laboratory Co., Ltd. does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

10/05/1004

Date

Name: Shunpei Yamazaki

Title: President

Company Name: Semiconductor Energy

Laboratory Co., Ltd.

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Applicant: Shunpei Yamazaki et al. Attorney's Docket No.: 07977-188002 / US

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## **REMARKS**

Claims 1-22 are pending in this application, with claims 1, 4, 7, 10, 13, 16, 19 and 21 being independent. Claims 1, 4, 7, 10, 13 and 16 have been amended to recite that a gate electrode is formed adjacent to a semiconductor layer with a gate insulating film interposed therebetween and that the semiconductor layer includes needle-shaped or column-shaped crystals which are substantially aligned in a direction parallel to a length direction of a channel formation region, and claims 19-22 have been added. Support for these amendments may be found, for example, at page 20, lines 1-4 and page 12, line 23 to page 13, line 3.

Claims 1-18 were rejected for obviousness-type double patenting as being unpatentable over claims 1, 11 and 21 of U.S. Patent No. 6,365,933. Applicant submits that this rejection is obviated by the terminal disclaimer that is being submitted with this amendment.

Applicant submits that all claims are in condition for allowance.

Enclosed is a \$212 check for excess claims fees. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 10 6 04

John F. Hayden Reg. No. 37,640

Fish & Richardson P.C. 1425 K Street, N.W. 11th Floor

Washington, DC 20005-3500 Telephone: (202) 783-5070 Facsimile: (202) 783-2331

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